

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 02-6599**

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DARNELL A. TOLES,

Plaintiff - Appellee,

versus

S. K. YOUNG; A. P. HARVEY; L. T. JANEWAY;  
CORRECTIONAL OFFICER MIKE MULLINS, a/k/a  
Correctional Officer Millin; SERGEANT SHORT;  
GENE M. JOHNSON,

Defendants - Appellants,

UNITED STATES OF AMERICA,

Intervenor/Defendant - Appellee.

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**No. 02-6600**

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DARNELL A. TOLES,

Plaintiff - Appellant,

versus

S. K. YOUNG; A. P. HARVEY; L. T. JANEWAY;  
CORRECTIONAL OFFICER MIKE MULLINS, a/k/a  
Correctional Officer Millin, SERGEANT SHORT;  
GENE M. JOHNSON,

Defendants - Appellees,

UNITED STATES OF AMERICA,

Intervenor/Defendant - Appellee.

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Appeals from the United States District Court for the Western District of Virginia, at Roanoke. James C. Turk, District Judge; Glen E. Conrad, Magistrate Judge. (CA-00-210)

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Submitted: December 19, 2002

Decided: January 24, 2003

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Before WILLIAMS, MICHAEL, and GREGORY, Circuit Judges.

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No. 02-6599 dismissed and No. 02-6600 affirmed by unpublished per curiam opinion.

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Darnell A. Toles, Appellant Pro Se. Pamela Anne Sargent, Assistant Attorney General, Susan Foster Barr, OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia; Mark Bernard Stern, Ara B. Gershengorn, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Appellees.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

In No. 02-6600, Darnell A. Toles appeals the district court's order granting summary judgment to the defendant prison officials in his 42 U.S.C. § 1983 (2000) action attacking enforcement of the prison's grooming policy. In No. 02-6599, the prison officials cross-appealed, arguing the district court should have dismissed Toles' complaint on other grounds. In No. 02-6600, we affirm the district court's order for the reasons stated by the district court. See Toles v. Young, No. CA-00-210 (W.D. Va. Mar. 6, 2002). We dismiss the cross-appeal, No. 02-6599, for lack of standing. See Deposit Guar. Nat'l Bank v. Roper, 445 U.S. 326, 333-34 (1980); HCA Health Servs. of Va. v. Metropolitan Life Ins. Co., 957 F.2d 120, 123 (4th Cir. 1992). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

No. 02-6599 - DISMISSED

No. 02-6600 - AFFIRMED